

John Bryant
Honorable John Bryant
U.S. Magistrate Judge

Honorable John S. Bryant
U.S. Magistrate Judge
RE: Petition for Action On
Michelle Antoinette Johnson
3:10CR00104-007
October 23, 2014

On September 4, 2014, defendant Michelle Antoinette Johnson was released by Your Honor on her own personal recognizance and pretrial services supervision. She has since been supervised by the United States Probation and Pretrial Services Office in the Middle District of Tennessee.

Special Conditions of Pretrial Release:

Please reference the attached Order Setting Conditions of Release.

Violation(s):

(1): The defendant must not violate any federal, state, or local law while on release.

On September 12, 2014, a drug test was administered on the defendant, and the result was positive for cocaine.

Probation Officer's Actions:


On the date of the urinalysis testing, the defendant admitted that she smoked marijuana and cocaine on September 4, 2014, prior to the arrest for the federal offense. The defendant will continue to be tested on a random basis to determine if she is using illegal substances.

Respectfully Petitioning the Court as Follows:

This was the defendant's first positive urine screen since her release on bond. It is respectfully recommended that no action be taken by the Court at this time. Should the defendant continue to test positive for drugs, then she will be referred for drug treatment. Additionally, Pretrial Services will request a hearing before the Court, where the defendant can answer the reason her bond should not be revoked.

Assistant U.S. Attorney Brent Hannafan has been notified regarding the above alleged violation.

Approved by:



Vidette Putman
Supervisory U.S. Probation Officer

xc: Brent Hannafan, Assistant U.S. Attorney
John Cauley, CJA Panel Attorney

UNITED STATES DISTRICT COURT
for the
Middle District of Tennessee

United States of America
v.

Michelle Antoinette Johnson
Defendant

)
)
) Case No. 3:14-00104 (7)
)
)

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate any federal, state or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must immediately advise the court, defense counsel, and the U.S. attorney in writing before any change in address or telephone number.
- (4) The defendant must appear in court as required and must surrender to serve any sentence imposed

The defendant must appear at (if blank, to be notified) _____ to be notified
Place
_____ on _____
Date and Time

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released on condition that:

- (☒) (5) The defendant promises to appear in court as required and surrender to serve any sentence imposed.
- (☐) (6) The defendant executes an unsecured bond binding the defendant to pay to the United States the sum of _____ dollars (\$ _____)
in the event of a failure to appear as required or surrender to serve any sentence imposed.

ADDITIONAL CONDITIONS OF RELEASE

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

() (6) The defendant is placed in the custody of:

Person or organization _____

Address (only if above is an
organization) _____

City and state _____

Tel. No. _____

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: _____

Custodian

Date

(x) (7) The defendant must:

1. Report as directed.
2. Maintain or actively seek employment.
3. Travel is restricted to the Middle District of Tennessee, unless approved in advance by Pretrial Services.
4. No firearms, ammunition, or other dangerous weapons.
5. Refrain from excessive use of alcohol.
6. Refrain from narcotic drugs unless prescribed by a physician.
7. Submit to urine screen testing and, if deemed appropriate, inpatient or outpatient treatment at the discretion of the U.S.P.O.
8. Refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing which is required as a condition of release.
9. No contact, directly or indirectly, with any potential victims or witnesses including codefendants.
10. Report as soon as possible, within 48 hours, to the pretrial services office or supervising officer any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.
11. Permit a Pretrial Services Officer to visit ^{her} ~~him~~ at home or elsewhere and permit
12. confiscation of any contraband observed in plain view;
- Defendant to reside at a specified location and shall not move without the express permission of the Court.

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

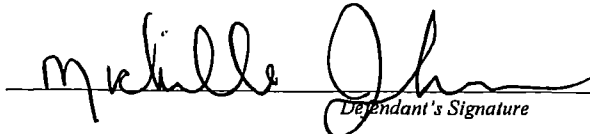
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.



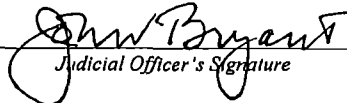
Defendant's Signature

City and State

Directions to the United States Marshal

- (X) The defendant is ORDERED released after processing.
- () The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: September 4, 2014



Judicial Officer's Signature

JOHN S. BRYANT, U.S. MAGISTRATE JUDGE

Printed name and title